

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

FRANK L. LEYVA, JR. and  
MOLISSA A. LEYVA,

Plaintiffs,

v.

ALLSTATE FIRE & CASUALTY  
INSURANCE COMPANY,

Defendant.

CASE NO. 2:21-CV-987-RSM-DWC

ORDER DENYING MOTION TO  
COMPEL

The District Court referred this action to United States Magistrate Judge David W. Christel. Dkt. 8. Presently before the Court is Plaintiffs Frank L. Leyva, Jr. and Molissa A. Leyva's Motion to Compel Discovery and/or Disclosure FRCP 37(a)(3)(A) ("Motion to Compel"). Dkt. 57. In the Motion to Compel, Plaintiffs request the Court order Allstate to produce redacted portions of the claim file. *Id.*

On October 11, 2022, the Court considered the Motion to Compel and deferred ruling on the Motion. Dkt. 76. The Court directed the parties to meet and confer to clarify and narrow the portions of the claim file identified in the privilege log that were still in dispute. *Id.* If any

1 portions remained in dispute, Allstate was directed to submit those documents to the Court for *in*  
2 *camera* review. *Id.* On November 10, 2022, Allstate filed the documents in question for this  
3 Court to review. Dkt. 86; *see also* Dkt. 88.

4 The Court has reviewed the claim file and finds that all redacted entries are privileged and  
5 were properly redacted. Allstate is, therefore, not required to produce any redacted entries. As  
6 Allstate is not directed to produce additional discovery, the Court declines to award attorney's  
7 fees to Plaintiffs. Accordingly, Plaintiffs' Motion to Compel (Dkt. 57) is denied.

8 Dated this 16th day of November, 2022.

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11 David W. Christel  
12 United States Magistrate Judge  
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